



CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA

May 8, 2019 7:00 PM

CITY HALL COUNCIL CHAMBERS
455 E. CALAVERAS BLVD., MILPITAS, CA 95035

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE (Commissioner Chuan)

IV. CONFLICT OF INTEREST DECLARATION

V. APPROVAL OF THE AGENDA

By motion, approve the meeting agenda for May 8, 2019 with any requested changes

VI. ANNOUNCEMENTS

VI-1 Planning Commissioners

VI-2 Planning Director

VII. PUBLIC FORUM

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium and limit their remarks to fewer than three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

VIII. APPROVAL OF MINUTES

By motion, approve the regular meeting minutes of April 10, 2019

IX. PUBLIC HEARING

IX-1 ADIMAR PLACE – 91 MONTAGUE EXPY. – P-SD19-0003, P-UP19-0002 – A request for a Site Development Permit and Conditional Use Permit for a new four-story, 72-unit residential condominium building with associated parking, open space and landscaping on a 1.79-acre parcel located at 91 Montague Expressway. The project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15183 (Project Consistent with a Community Plan or Zoning) and Section 15332 (Infill Development), and, as a separate and independent basis, Public Resource Code Section 21166. Project Planner: Michael Fossati, (408) 586-3274, mfossati@ci.milpitas.ca.gov

Recommendation: Staff recommends that the Planning Commission consider the finding of consistency with the Addendum to the Milpitas Midtown Specific Plan Environmental Impact Report (Resolution No. 8588) in accordance with the California Environmental Quality Act (CEQA) and adopt Resolution No. 19-015 approving Site Development Permit No. (SD19-0003) and Conditional Use Permit No. (UP19-0002) subject to the attached Conditions of Approval.

IX-2 MIXED-USE BUILDING – 86 N MAIN – P-SD17-0007, P-UP17-0011, E-LC17-0003

– A request for a Site Development Permit, Conditional Use Permit, and Lot Combination for a new three-story, mixed-use building consisting of ground floor commercial space, one office space, and three residential units, as well as a shared parking agreement and setback reductions, and the merger of two lots, totaling 0.15 acres. The project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15183 (Project Consistent with a Community Plan or Zoning), Section 15303 (New Construction or Conversion of Small Structures), and Section 15332 (In-Fill Development Projects). Planner: Lillian Hua, (408) 586-3073, lhua@ci.milpitas.ca.gov

***Recommendation:** Staff recommends that the Planning Commission adopt Resolution No. 19-011, approving Site Development Permit No. SD17-0007, Conditional Use Permit No. UP17-0011, and Lot Combination No. LC17-0003, adopting an Addendum to the Midtown Specific Plan EIR and making CEQA Findings of Exemption subject to the Conditions of Approval.*

IX-3 NEW INDIA BAZAAR GROCERY STORE EXPANSION – 440 S MAIN STREET – P-UA18-0009

- A request for a Conditional Use Permit Amendment to add approximately 1,274 square feet of sales area to an existing 5,261-square foot commercial use (grocery store) for a new total of approximately 6,535 square feet within an existing commercial building located at 440 S Main Street. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15183 (Project Consistent with a Community Plan or Zoning) and CEQA Guidelines Section 15301 (Existing Facilities). Project Planner: Krishna Kumar, (408) 586-3276, kkumar@ci.milpitas.ca.gov

***Recommendation:** Staff recommends that the Planning Commission consider the finding of consistency with the 2002 Milpitas Midtown Specific Plan Environmental Impact Report, and as a separate and independent basis, an exemption from further environmental review under the California Environmental Quality Act (CEQA); and adopt Resolution No. 19-012 approving Conditional Use Permit Amendment No. UA18-0009 subject to the Conditions of Approval.*

X. NEW BUSINESS

NO ITEMS

Any person aggrieved by any final decision of any, board, commission, or department head to the City of Milpitas may appeal the decision to the City Council by filing written notice of the appeal with the City Clerk within 12 calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

XI. ADJOURNMENT

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public.
Commissions, boards, councils and other agencies of the City exist to conduct the people's business.

This ordinance assures that deliberations are conducted before the people and the

City operations are open to the people's review.

Materials related to an item on this agenda submitted to the Planning Commission after initial distribution of the agenda packet are available for public inspection at the Planning Department office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, during normal business hours.

For more information on your rights under the Open Government Ordinance or to report a violation of the ordinance, contact the City Attorney's office at Milpitas City Hall
455 E. Calaveras Blvd., Milpitas, CA 95035 Phone 408-586-3040

The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.

The Planning Division will provide a recorded agenda or minutes printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division prior to the meeting at 408-586-3279.
